



PTO/SB/26 (09-04)

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REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

2517 DIV2 CON (203-3449 DIV2 CON)

In re Application of: Kayan et al.

Application No.: 10/751,579

Filed: January 5, 2004

For: METHOD FOR BLOOD VESSEL CLIP APPLICATION

The owner\*, General Surgical Innovations, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,695,854 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
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- is reissued; or
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 30,949

Signature

September 19, 2005

Date

David M. Carter

Typed or printed name

631-501-5713

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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